

**APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 13 1989

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed JUL 13 1989

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The applicant Westpac Utilities, a division of Sierra Pacific Power Company, hereby makes application for permission to change the Point of Diversion, Manner of Use and Place of Use of water heretofore appropriated under A portion of Claims #49, 52.5 & 53 of the Truckee River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants, in Equity Docket A-3.

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1. The source of water is Truckee River
2. The amount of water to be changed 52.44 miners inches (1.311 cfs) not to exceed 405.80 acre feet.
3. The water to be used for Municipal and Domestic
4. The water heretofore permitted for Irrigation and Stockwater
5. The water is to be diverted at the following point The Points of Diversion for Sierra's existing Water Treatment Plants as described in attached Exhibit "A" and shown on the map supporting this application.
6. The existing permitted point of diversion is located within The Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 31, T.19N., R.18E., M.D.B.&M., from said point the Southwest corner of Section 32, T.19N., R.18E., M.D.B.&M., bears S62° 04'E 3,195.0 feet (Steamboat Canal).
7. Proposed place of use the Certificated Water Service Area of Sierra Pacific Power Company as described in the legal description and shown on the supporting map on file with the State Engineer's Office - Division of Water Resources.
8. Existing place of use See attached Claim Transfer Table Exhibit "B".
9. Use will be from as decreed to of each year.
10. Use was permitted from as decreed to of each year.
11. Description of proposed works Water will be diverted at existing Company facilities, treated and placed into the existing distribution system.
12. Estimated cost of works Sierra has invested in excess of \$50 Million in its Water Treatment Transmission and Distribution System.
13. Estimated time required to construct works Completed.
14. Estimated time required to complete the application of water to beneficial use 1 year

53684

15. Remarks: During 1988, Sierra had an average of 50,871 residential customers and delivered approximately 60,865 acre feet of water. Maximum day delivery was 102.004 million gallons (313.04 acre feet).

By s/William K. Jewett  
William K. Jewett, Agent  
P. O. Box 30028  
Reno, NV 89520

Compared my/bk cl/cms

Protested 10/18/89 by TCID - Pro. Overruled 3/11/97; Ruling No. 4514

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claim 53, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to State Engineer Ruling No. 4514 dated March 11, 1997.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.311 cubic feet per second, but not to exceed 405.80 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Application of water to beneficial use shall be filed on or before:

April 9, 1998

Proof of the application of water to beneficial use shall be filed on or before:

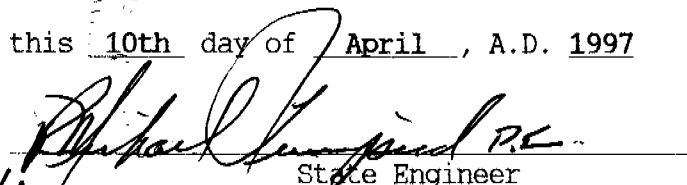
May 9, 1998

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,  
State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 10th day of April, A.D. 1997

  
State Engineer

Completion of work filed N/A

Proof of beneficial use filed JUN 12 1998

Cultural map filed

Certificate No. 14995 Issued AUG 10 1998

EXHIBIT "A"

The following descriptions describe the points of diversion for Sierra Pacific Power Company Water Treatment Plants situate in the County of Washoe, State of Nevada, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 31, T. 19N., R. 18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62° 04' East, a distance of 3195.0 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 9, T. 19N., R. 18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75° 16' East, a distance of 1650.0 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 10, T. 19N., R. 19E., M.D.B.&M., Washoe County, Nevada from said point of diversion, the Southeast corner of said Section 10 bears South 69° 57' 58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 7, T. 19N., R. 20E., M.D.B.&M., Washoe County, Nevada from said point of Diverison, the Northeast corner of said Seciton 7 bears North 39° 28' East, a distance of 3015.0 feet.

EXHIBIT "B"

### ORR DITCH DECREE CLAIM TRANSFER TABLE

O D D CLAIM	SEC	TWSHP	RANGE	DIVSN	TOT. AVAILABLE		PREV. TRANSFER		NEW TRANSFER		BAL. REMAINING		COMMENTS
					A.F.	M.I.	A.F.	M.I.	A.F.	M.I.	A.F.	M.I.	
49	16	19 N.	18 E.	NW <sup>1</sup> SE <sup>1</sup>	44.00	8.04	0	0	14.04	2.57	29.96	5.47	Feb new 8-14-71 2-1-72
49	16	19 N.	18 E.	SW <sup>1</sup> SE <sup>1</sup>	153.00	28.07	0	0	60.89	11.20	93.21	65.14	
49	16	19 N.	18 E.	SE <sup>1</sup> SE <sup>1</sup>	76.00	13.89	0	0	31.37	5.73	44.63	8.16	
2 1/2	19	19 N.	19 E.	NE <sup>1</sup>	248.00	30.00	0	0	248.00	30.00	0	0	
53	20	"	"	NW <sup>1</sup> NW <sup>1</sup>	69.00	9.92	0	0	69.00	9.92	0	0	
53	20	"	"	NE <sup>1</sup> NW <sup>1</sup>	156.00	22.24	0	0	83.80	9.49	72.20	12.75	
53	20	"	"	SE <sup>1</sup> NW <sup>1</sup>	28.00	4.00	0	0	7.00	1.00	20.51	2.40	
53	17	"	"	SW <sup>1</sup> SW <sup>1</sup>	20.00	2.85	0	0	20.00	2.85	0	0	
53	17	"	"	SE <sup>1</sup> SW <sup>1</sup>	10.00	1.42	0	0	10.00	1.42	0	0	
53	20	"	"	NW <sup>1</sup> NE <sup>1</sup>	75.00	10.78	0	0	59.20	5.49	16.40	5.29	
53	17	"	"	SE <sup>1</sup> SW <sup>1</sup>	64.00	9.12	0	0	64.00	9.12	0	0	
53	17	"	"	SW <sup>1</sup> SE <sup>1</sup>	77.20	11.01	0	0	77.20	11.01	0	0	
53	20	"	"	NW <sup>1</sup> NE <sup>1</sup>	22.00	3.14	0	0	22.00	3.14	0	0	